

Senate File 567

H-1115

1 Amend Senate File 567, as amended, passed, and reprinted by  
2 the Senate, as follows:

3 1. Page 1, by striking lines 3 through 9 and inserting:

4 <NEW PARAGRAPH. e. Grant an exception for a person  
5 who would otherwise be denied a license due to a criminal  
6 conviction under specified circumstances. When considering  
7 such an exception, the board shall consider the following: the  
8 nature and seriousness of any offense of which the person was  
9 convicted, all circumstances relative to the offense, including  
10 mitigating circumstances or social conditions surrounding the  
11 commission of the offense, the age of the person at the time  
12 the offense was committed, the length of time that has elapsed  
13 since the offense was committed, letters of reference, and all  
14 other relevant evidence of rehabilitation and present fitness  
15 presented. A person holding a license prior to July 1, 2019,  
16 shall not be required to obtain an exception to maintain a  
17 license.>

18 2. Page 1, by striking lines 12 through 15 and inserting:

19 <NEW SUBSECTION. 3. Conviction of a crime in Iowa that is  
20 sexual abuse in violation of 709.4, a sexually violent offense  
21 as defined in section 229A.2, the offense of dependent adult  
22 abuse in violation of section 235B.20, a forcible felony as  
23 defined in section 702.11, or the offense of domestic abuse  
24 assault in violation of section 708.2A, shall be grounds for  
25 denial, revocation, or suspension of a license. Conviction for  
26 any other felony shall not be grounds for denial, revocation,  
27 or suspension. A conviction of a crime in violation of  
28 federal law or in violation of the law of another state shall  
29 be given the same effect as it would if such conviction had  
30 been under Iowa law. If federal law or the laws of another  
31 state do not provide for offenses or violations denominated  
32 or described in precisely the same words as Iowa law, the  
33 department shall determine whether those offenses or violations  
34 are substantially similar in nature to Iowa law and apply those  
35 offenses or violations accordingly.>

1     3. Page 1, by striking lines 18 through 21 and inserting:  
2     <NEW SUBSECTION. 6. Conviction of a crime in Iowa that is  
3 sexual abuse in violation of section 709.4, a sexually violent  
4 offense as defined in section 229A.2, the offense of dependent  
5 adult abuse in violation of section 235B.20, a forcible felony  
6 as defined in section 702.11, or the offense of domestic abuse  
7 assault in violation of section 708.2A, shall be grounds for  
8 denial, revocation, or suspension of a license. Conviction for  
9 any other felony shall not be grounds for denial, revocation,  
10 or suspension. A conviction of a crime in violation of  
11 federal law or in violation of the law of another state shall  
12 be given the same effect as it would if such conviction had  
13 been under Iowa law. If federal law or the laws of another  
14 state do not provide for offenses or violations denominated  
15 or described in precisely the same words as Iowa law, the  
16 department shall determine whether those offenses or violations  
17 are substantially similar in nature to Iowa law and apply those  
18 offenses or violations accordingly.>

19     4. Page 1, by striking lines 24 through 27 and inserting:  
20     <NEW SUBSECTION. 6. Conviction of a crime in Iowa that is  
21 sexual abuse in violation of section 709.4, a sexually violent  
22 offense as defined in section 229A.2, the offense of dependent  
23 adult abuse in violation of section 235B.20, a forcible felony  
24 as defined in section 702.11, or the offense of domestic abuse  
25 assault in violation of section 708.2A, shall be grounds for  
26 denial, revocation, or suspension of a license. Conviction for  
27 any other felony shall not be grounds for denial, revocation,  
28 or suspension. A conviction of a crime in violation of  
29 federal law or in violation of the law of another state shall  
30 be given the same effect as it would if such conviction had  
31 been under Iowa law. If federal law or the laws of another  
32 state do not provide for offenses or violations denominated  
33 or described in precisely the same words as Iowa law, the  
34 department shall determine whether those offenses or violations  
35 are substantially similar in nature to Iowa law and apply those

1 offenses or violations accordingly.>

2 5. Page 1, by striking lines 30 through 33 and inserting:

3 <NEW SUBSECTION. 4. Conviction of a crime in Iowa that is  
4 sexual abuse in violation of section 709.4, a sexually violent  
5 offense as defined in section 229A.2, the offense of dependent  
6 adult abuse in violation of section 235B.20, a forcible felony  
7 as defined in 702.11, or the offense of domestic abuse assault  
8 in violation of section 708.2A, shall be grounds for denial,  
9 revocation, or suspension of a license. Conviction for any  
10 other felony shall not be grounds for denial, revocation, or  
11 suspension. A conviction of a crime in violation of federal  
12 law or in violation of the law of another state shall be given  
13 the same effect as it would if such conviction had been under  
14 Iowa law. If federal law or the laws of another state do not  
15 provide for offenses or violations denominated or described  
16 in precisely the same words as Iowa law, the department  
17 shall determine whether those offenses or violations are  
18 substantially similar in nature to Iowa law and apply those  
19 offenses or violations accordingly.>

20 6. Page 2, by striking lines 1 through 4 and inserting:

21 <NEW SUBSECTION. 4. Conviction of a crime in Iowa that is  
22 sexual abuse in violation of section 709.4, a sexually violent  
23 offense as defined in section 229A.2, the offense of dependent  
24 adult abuse in violation of section 235B.20, a forcible felony  
25 as defined in section 702.11, or the offense of domestic abuse  
26 assault in violation of section 708.2A, shall be grounds for  
27 denial, revocation, or suspension of a license. Conviction for  
28 any other felony shall not be grounds for denial, revocation,  
29 or suspension. A conviction of a crime in violation of  
30 federal law or in violation of the law of another state shall  
31 be given the same effect as it would if such conviction had  
32 been under Iowa law. If federal law or the laws of another  
33 state do not provide for offenses or violations denominated  
34 or described in precisely the same words as Iowa law, the  
35 department shall determine whether those offenses or violations

1 are substantially similar in nature to Iowa law and apply those  
2 offenses or violations accordingly.>

3 7. Page 2, by striking lines 7 through 10 and inserting:

4 <NEW SUBSECTION. 7. Conviction of a crime in Iowa that is  
5 sexual abuse in violation of section 709.4, a sexually violent  
6 offense as defined in section 229A.2, the offense of dependent  
7 adult abuse in violation of section 235B.20, a forcible felony  
8 as defined in section 702.11, or the offense of domestic abuse  
9 assault in violation of section 708.2A, shall be grounds for  
10 denial, revocation, or suspension of a license. Conviction for  
11 any other felony shall not be grounds for denial, revocation,  
12 or suspension. A conviction of a crime in violation of  
13 federal law or in violation of the law of another state shall  
14 be given the same effect as it would if such conviction had  
15 been under Iowa law. If federal law or the laws of another  
16 state do not provide for offenses or violations denominated  
17 or described in precisely the same words as Iowa law, the  
18 department shall determine whether those offenses or violations  
19 are substantially similar in nature to Iowa law and apply those  
20 offenses or violations accordingly.>

21 8. Page 2, by striking lines 15 through 22 and inserting:

22 <NEW SUBSECTION. 5. The board may grant an exception  
23 for a person who would otherwise be denied a license due to  
24 a criminal conviction under specified circumstances. When  
25 considering such an exception, the board shall consider the  
26 following: the nature and seriousness of any offense of  
27 which the person was convicted, all circumstances relative  
28 to the offense, including mitigating circumstances or social  
29 conditions surrounding the commission of the offense, the age  
30 of the person at the time the offense was committed, the length  
31 of time that has elapsed since the offense was committed,  
32 letters of reference, and all other relevant evidence of  
33 rehabilitation and present fitness presented. A person holding  
34 a license prior to July 1, 2019, shall not be required to  
35 obtain an exception to maintain a license.>

1 9. By striking page 2, line 31, through page 3, line 6, and  
2 inserting:

3 <Sec. \_\_\_\_\_. Section 105.22, subsection 4, Code 2019, is  
4 amended by striking the subsection and inserting in lieu  
5 thereof the following:

6 4. Conviction of a crime in Iowa that is sexual abuse in  
7 violation of section 709.4, a sexually violent offense as  
8 defined in section 229A.2, the offense of dependent adult abuse  
9 in violation of section 235B.20, a forcible felony as defined  
10 in section 702.11, or the offense of domestic abuse assault  
11 in violation of section 708.2A, shall be grounds for denial,  
12 revocation, or suspension of a license. Conviction for any  
13 other felony shall not be grounds for denial, revocation, or  
14 suspension. A conviction of a crime in violation of federal  
15 law or in violation of the law of another state shall be given  
16 the same effect as it would if such conviction had been under  
17 Iowa law. If federal law or the laws of another state do not  
18 provide for offenses or violations denominated or described  
19 in precisely the same words as Iowa law, the department  
20 shall determine whether those offenses or violations are  
21 substantially similar in nature to Iowa law and apply those  
22 offenses or violations accordingly. A copy of the record of  
23 conviction or plea of guilty shall be conclusive evidence of  
24 such conviction.>

25 10. Title page, line 3, by striking <felonies> and inserting  
26 <crimes>

---

COMMITTEE ON STATE GOVERNMENT  
KAUFMANN of Cedar, Chairperson